

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

THOMAS DOUGLAS, as Administrator of )  
the Estate of Sebera Gayle Douglas, deceased, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
TMA FOREST PRODUCTS GROUP, et al. )  
 )  
Defendants. )

CASE NO. 2:06-CV-188-WKW

**ORDER**

Upon consideration of Plaintiff's Agreed Upon Motion to Dismiss Defendant's D & D Lumber Company, Inc., and Lockhart Lumber Company, Inc., Without Prejudice (Doc. # 44), it is ORDERED that the motion is GRANTED and Defendant D & D Lumber Company, Inc., an Alabama corporation formed on November 13, 1978, doing business as Lockhart Lumber Company, Inc., an Alabama corporation formed on November 13, 1978, is DISMISSED without prejudice.

It is further ORDERED that Plaintiff's Request for Entry of Default (Doc. # 29) and Defendant D & D Lumber Company, Inc.'s Motion to Dismiss (Doc. # 35) are DENIED as MOOT.

DONE this the 24<sup>th</sup> day of May, 2006.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE